

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

RACHEL A. PORTER,

Plaintiff,

v.

SPORTS & SOCIAL [ECI],

Defendant.

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No. 4:23-cv-01609-SRW

**MEMORANDUM AND ORDER**

This matter is before the Court on self-represented Plaintiff Rachel A. Porter's application to proceed in the district court without prepaying fees or costs. Based on the financial information provided in the application, the Court will grant the application and waive Plaintiff's filing fee.

Plaintiff filed this action on December 14, 2023, indicating on her civil cover sheet that she is bringing this action under the Fair Labor Standards Act ("FLSA"). Plaintiff's complaint is defective, however, because she has brought this FLSA case on a Court form for filing an employment discrimination case. The employment discrimination complaint does not contain enough information for the Court to evaluate Plaintiff's claims under 28 U.S.C. § 1915(e)(2)(B). The Court will order the Clerk of Court to send Plaintiff a form complaint for violations of the FLSA. Plaintiff shall complete this form and file it with the Court within twenty-one (21) days of the date of this Order. If Plaintiff fails to complete and file the FLSA form complaint, the Court will dismiss this action without prejudice and without further notice to Plaintiff.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's application to proceed in the district court without payment of fees and costs is **GRANTED**. [ECF No. 2]

**IT IS FURTHER ORDERED** that the Clerk of Court shall mail plaintiff a form complaint for violations of the Fair Labor Standards Act. Plaintiff shall complete this form and submit it to the Court within twenty-one (21) days of the date of this Order.

**IT IS FURTHER ORDERED** that if Plaintiff fails to comply with this Order, the Court will dismiss this action without prejudice and without further notice to Plaintiff.

Dated this 19th day of December, 2023.

  
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STEPHEN R. WELBY  
UNITED STATES MAGISTRATE JUDGE